

**NOTICE OF APPEAL FROM THE EXAMINER TO
 THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

21406-001

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] Aug. 05, 2008 via EFS on

Signature

Typed or printed name

ANTHONY KING

In re Application of

Cheng, Li-Ming et al.

Application Number

10/943,178

Filed

DEC. 23, 2003

For

Rush up, Pull Down, Shade Appar.

Art Unit

3634

Examiner

Johnson, Blair

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$510

\$

\$

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-3856. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
 (Form PTO/SB/96)

☒ attorney or agent of record.

Registration number

49,063

☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34.

Signature

ANTHONY KING

Typed or printed name

949 260 4797

Telephone number

AUG. 05, 2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.



*Total of 2 forms are submitted

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450**

Appl No.: **10/743,178**
Applicant: **Cheng, Li-Ming**
Filing Date: **12/23/2003**
Art Unit: **3634**
Examiner: **Johnson, Blair**
Attorney Docket No.: **21406-001**

Commissioner for Patents
Mail Stop AF
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

Please note, this application was previously on Appeal, and the Examiner re-opened prosecution by way of issuing a revised Final Office Action (dated June 13, 2008). In response to the revised Final Office Action of June 13, 2008, the Applicant hereby submits a Notice of Appeal, Appeal Brief. No fee is believed to be due, since Notice of Appeal fee of \$510 and Appeal Brief fee of \$510 were previously paid for.

The Applicant hereby makes note of relevant events relating to this Appeal:

9/25/2007 Final Office Action mailed
10/31/2007 Response to Final Office Action submitted
11/14/2007 Advisory Action mailed
12/10/2007 **Notice of Appeal submitted along with \$510**
12/10/2007 Request for Pre-Appeal Brief Conference submitted
12/20/2007 Notice of Decision mailed
3/6/2008 **Opening Brief submitted along with \$510**

Application No. 10/743,178

3/21/2008 Notice of Non-Compliant Brief mailed

4/7/2008 Amended Brief submitted

6/13/2008 Final Office Action mailed

Fee Payments

If the Applicant is required to pay an additional Notice of Appeal fee of \$510, and an additional Appeal Brief fee of \$510, as well as other necessary Appeal fees, the Director is hereby authorized to charge, or credit any overpayment to deposit account 50-3856.

Respectfully submitted,

By /Anthony S. King/
Anthony S. King
Registration No. 49,063
August 5, 2008

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